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EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/879,020	Applicant(s) BORDER ET AL.	
	Examiner Haresh Patel	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 13-27 and 36-57 is/are pending in the application.
- 4a) Of the above claim(s) 54-57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 13-27 and 36-53 is/are rejected.
- 7) ☒ Claim(s) 44-52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4, 13-27, 36-53 are subject to examination. Claims 5-12, 28-35 are cancelled. Claims 54-57 are withdrawn (please see below election/restriction section of this office action).

Response to Arguments

2. Applicant's arguments filed 8/5/2005, pages 13-18, have been fully considered but they are not persuasive. Therefore, rejection of claims 1-4, 13-27, 36-57 is maintained.

Applicant argues (1), "the cited references do not disclose, teach, or suggest all of the features of independent claims 1, 24 and 43. In particular, the references fail to disclose, teach or suggest the applicant's claimed transport level spoofing comprises sending a transport level ACK to spoof receipt of data". The examiner respectfully disagrees in response to applicant's arguments. The limitations, "transport level spoofing comprises sending a transport level ACK to spoof receipt of data", has been newly added, which is addressed by the new ground(s) of rejection (please refer to the below rejections of this office action). Therefore, the rejection is maintained.

Applicant argues (2), "cited reference, i.e., Gelman, et al., 6,415,329, Massachusetts Institute of Technology, does not disclose, limitations, a maximum segment size setting unit that is configured to set TCP maximum segment size in accordance with an IP address, setting TCP maximum segment size in accordance with an IP address, a maximum segment size setting unit that is configured to set TCP maximum segment size in accordance with a TCP port number, setting TCP maximum segment size in accordance with a TCP port number". The examiner respectfully disagrees in response to applicant's arguments. The cited reference, Gelman clearly

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teaches a maximum segment size setting unit that is configured to set TCP maximum segment size in accordance with an IP address (e.g., col., 4, lines 5 – 31), setting TCP maximum segment size in accordance with an IP address (e.g., col., 4, lines 5 – 31), a maximum segment size setting unit that is configured to set TCP maximum segment size in accordance with a TCP port number (e.g., col., 4, lines 5 – 31), setting TCP maximum segment size in accordance with a TCP port number (e.g., col., 4, lines 5 – 31). Also, the specification, page 22, paragraph 55, states, “The invention being thus described, it will be obvious that the Such variations are not to be regarded as a departure from the spirit and scope of the invention, and all such be obvious to one skilled in the art are intended to modifications as would be included within the scope of the following claims”. Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (3), “the limitations, satellite link, a network gateway, a host, a hub, a switch, a VSAT and a router rejected under official notice are not well-known in the art”. The examiner respectfully disagrees in response to applicant's arguments. For example, Soffer et al., 6,233,429 discloses usage of satellite link (e.g., figure 1). For example, applicant's admitted prior art (AAPA) discloses usage of a network gateway (e.g., paragraph 12, pages 5 and 6), a host (e.g., paragraph 4, page 2). Bishop discloses usage of a hub (e.g., abstract). Durboraw, III et al., 5,995,042 discloses usage of a switch (e.g., col., 4, lines 52 – 62). Soffer et al., 6,233,429 discloses usage of a VSAT (e.g., figure 1). Chatterjee et al., 2001/0043600 discloses usage of a router (e.g., figure 1). Also, the specification, page 22, paragraph 55, states, “The invention being thus described, it will be obvious that the Such variations are not to be regarded as a

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departure from the spirit and scope of the invention, and all such be obvious to one skilled in the art are intended to modifications as would be included within the scope of the following claims”.

Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Election/Restrictions

3. Claims 54-57 are directed to an invention that is independent or distinct from the invention originally claimed invention for the following reasons: Claims 54-57, are drawn to, “obtaining an IP address / TCP port number corresponding to a network connection and further processing based on the obtained IP address / TCP port number”, classified in class 709, subclass 221.

4. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 54-57 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

5. A courtesy telephone call was made to Craig L. Plastrik on 10/27/05 to inform about the above restriction requirement. Craig L. Plastrik without traverse agreed with the examiner of the above restriction. Applicant is requested to cancel claims 54-57 in response to this office action.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed.

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Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 1-4, 13-27, 36-53 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-101 of Dillon, U.S. Patent No. 6,701,370. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of spoofing for sending a transport level information including acknowledgement is similar to usage of TCP protocol spoofing for handling TCP packet and TCP ACK packet information. The claimed subject matter of claims 1-101 of Dillon, U.S. Patent No. 6,701,370 does not specifically mention about determination of what application is using the transport. However, it is well known in the art; for example, Reid discloses the well-known concept of determining of what application (e.g., col., 7, lines 33 – 58). With Reid's teachings it would be obvious to one of ordinary skill in the art to include the concept of determining of what application with the claimed subject matter of claims 1-101 of Dillon, U.S. Patent No. 6,701,370.

7. The examiner agrees with the applicant's acknowledgement of double patenting rejection with copending applications No.09/662072 and No.09/664165.

Priority

8. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

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The claimed subject matter, “a transport level ACK to spoof receipt of data”, etc., are not disclosed in the provisional application; hence, applicant does not benefit the effective date as the provisional priority date.

Response to Amendment

9. The amendment filed 8/5/2005 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

- a. addition of limitations, “a transport level ACK to spoof receipt of data”, in claims 1, 24 and 43,

Applicant is required to cancel the new matter, to avoid abandonment of this application, in the reply to this Office Action.

Specification

10. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The following title is suggested: “Selective transport level spoofing on based on what application is using transport level connection”.

Drawings

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11. New corrected drawings are required in this application because Figures 1-3 does not show the claimed invention, i.e., “selectively performing transport level spoofing on a transport level connection in accordance with a determination as to what application is using the transport level connection, sending a transport level ACK, TCP Option, TCP Maximum Segment Size, is set in accordance with the determination as to what application is using the transport level connection; a three-way handshake parameter is set in accordance with the determination, connection priority is set in accordance with the determination as to what application is using the transport level connection”. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

12. Claims 1, 24 and 43-52 are objected to because of the following informalities:

Claims 1, 24 and 43 mention, “ACK”, which should be, “acknowledgement (ACK)”.

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Claims 44-52 mention, "An apparatus according to", which should be "The apparatus according to".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13. Claims 1, 24 and 43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

The specification does not contain subject matter containing any software or hardware to implement limitation "a transport level ACK to spoof receipt of data", as cited in claims 1, 24 and 43. Also, the specification, states, "TCP spoofing is used to improve TCP throughput by locally acknowledging TCP data received", "The TCP spoofing gateway also takes on the responsibility of retransmitting any packets lost after they have been acknowledged by the gateway. This can be done by buffering the data until an acknowledgment for the data is received from across the link and retransmitting data for which no acknowledgment is received".

Examiner has reviewed the specification (OCR whole document) and could not find support for the additional limitations as claimed.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 1, 3, 4, 13-15, 24, 26, 27, 36, 43, 45-48, 50-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denker, 5,958,053 in view of Reid et al., 6,182,226 (Hereinafter Reid) and Schroeder et al., 6,327,626, Alten Networks (Hereinafter Schroeder-Alten-Networks).

16. As per claim 1, Denker discloses a network apparatus (e.g., col., 6, lines 23 – 47) comprising:

a selective spoofing (e.g., col., 12, line 61 – col., 13, line 8) unit (e.g., col., 6, lines 23 – 47) that (a) determines application (e.g., col., 1, lines 16 – 18, col., 6, lines 10 - 15) is using a transport level connection (e.g., col., 17, lines 9 – 14) and (b) decides whether or not to perform transport level spoofing (e.g., figure 11, col., 17, line 52 – col., 18, line 14) on the transport level connection (e.g., col., 17, lines 9 – 14) in accordance with the determination of application (e.g., col., 1, lines 16 – 18, col., 6, lines 10 - 15) is using the transport level connection (e.g., col., 17, lines 9 – 14),

wherein the transport level spoofing (e.g., figure 11, col., 17, line 52 – col., 18, line 14) comprises sending a transport level ACK to spoof receipt of data (e.g., col., 12, line 61 – col., 13, line 13, col., 2, lines 14 – 28), and

wherein at least one of the following conditions is satisfied:

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(1) in a case that said selective spoofing unit (e.g., col., 6, lines 23 – 47) has decided to perform transport level spoofing on the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14) a TCP option (e.g., col., 4, lines 3 – 8), maximum segment size is set (e.g., col., 4, lines 3 – 8) in accordance with the determination of application (e.g., col., 1, lines 16 – 18, col., 6, lines 10 - 15) is using the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14);

(2) in a case that said selective spoofing unit (e.g., col., 6, lines 23 – 47) has decided to perform transport level spoofing on the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14), a three-way handshake parameter is set (e.g., col., 4, lines 23 – 30, col., 5, lines 45 – 48) in accordance with the determination of application (e.g., col., 1, lines 16 – 18, col., 6, lines 10 - 15) is using the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14); and

(3) in a case that said selective spoofing unit (e.g., col., 6, lines 23 – 47) has decided to perform transport level spoofing on the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14), connection priority (e.g., col., 10, line 55 – col., 11, line 6) is set in accordance with the determination of application (e.g., col., 1, lines 16 – 18, col., 6, lines 10 - 15) is using the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14).

Denker also discloses that well-known applications such as Telnet and HTTP that rely on TCP (e.g., col., 1, lines 16 – 18). However, Denker does not specifically disclose determination of what application.

Reid discloses the well-known concept of determining of what application (e.g., col., 7, lines 33 – 58).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Denker with the teachings of Reid in order to facilitate determining of what application among other applications because the information of what application to use would be utilized for utilizing the transport level connection using a protocol. The protocol would assist transferring information for the network apparatus.

However, Denker and Reid do not specifically disclose TCP Maximum Segment Size.

Schroeder-Alten-Networks discloses the well-known usage of TCP Maximum Segment Size (e.g., col., 1, lines 17 – 20, col., 2, lines 31 - 46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Denker and Reid with the teachings of Schroeder-Alten-Networks in order to facilitate usage of TCP Maximum Segment Size because the TCP Maximum Segment Size would help define what size is considered to maximum. The TCP Maximum Segment Size would assist transferring information for the network apparatus.

17. As per claim 24, Denker, Reid and Schroeder-Alten-Networks disclose a method (e.g., col., 6, lines 23 – 38, Denker) for the claimed limitations rejected under claim 1.

18. As per claim 43, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 1. Denker also discloses in accordance with at least one field in a packet (e.g., col., 14, lines 25 – 42) received by the apparatus.

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19. As per claim 53, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 1. Denker also discloses in accordance with at least one field in an IP packet or TCP packet (e.g., col., 8, lines 1- 14).

20. As per claims 3 and 26, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 1 and 24. Denker also discloses selective spoofing unit assigns spoofing resources including buffer space and control blocks (e.g., col., 9, lines 26 – 42) to the spoofed transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14).

21. As per claims 4 and 27, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 1 and 24. Denker also discloses application is using the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14) in accordance with a TCP port number (e.g., col., 18, lines 39 – 50).

22. As per claims 13 and 36, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 1 and 24. Denker also discloses the transport level connection (e.g., figure 11, col., 17, line 52 – col., 18, line 14) uses one of the Transmission Control Protocol (TCP) and the User Datagram Protocol (UDP) (e.g., col., 10, lines 50 – 58).

23. As per claim 14, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 1. Denker also discloses said apparatus is connected to another apparatus via a backbone connection (e.g., col., 6, lines 23 – 34).

24. As per claim 15, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 1. Denker also discloses wherein the backbone connection is via a wireless link (e.g., col., 6, lines 23 – 34).

25. As per claim 45, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses a source network level address (e.g., col., 14, lines 23 - 43).

26. As per claim 46, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Reid also discloses a destination network level address (e.g., col., 6, lines 46 - 56).

27. As per claim 47, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses a source network level address (e.g., col., 18, lines 39 – 50).

28. As per claim 48, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses a transport level options field (e.g., col., 8, lines 1- 14).

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29. As per claim 50, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses field comprises a plurality of fields selected from the group consisting a destination IP address, a source IP address, a TCP destination port number, a TCP source port number, a TCP options field, and an IP differentiated services (DS) field (e.g., col., 18, lines 39 – 50, col., 8, lines 1- 14).

30. As per claim 51, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses an IP address and TCP port number (e.g., col., 18, lines 39 – 50, col., 8, lines 1- 14).

31. As per claim 52, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claim 43. Denker also discloses a TCP field (e.g., col., 18, lines 39 – 50, col., 8, lines 1- 14).

32. Claims 2 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denker, Reid and Schroeder-Alten-Networks in view of Bishop et al., 6,850,512 (Hereinafter Bishop).

33. As per claims 2 and 25 Denker, Reid and Schroeder-Alten-Networks disclose discloses the claimed limitations rejected under claims 1 and 24. However, Denker, Reid and Schroeder-Alten-Networks do not specifically disclose high throughput applications.

Bishop discloses the well-known use of high throughput applications (e.g., col., 2, lines 2 – 14, col., 6, lines 6 – 22).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Denker, Reid and Schroeder-Alten-Networks disclose with the teachings of Bishop in order to facilitate usage of high throughput applications because the high throughput applications would enhance handling of data traffic over the transport level connection. The data traffic would assist transferring information for the network apparatus.

34. Claims 16 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denker, Reid and Schroeder-Alten-Networks in view of Jorgensen, 6,452,915.

35. As per claim 16, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 1 and 15. However, Denker, Reid and Schroeder-Alten-Networks do not specifically disclose high latency and high error rate.

Jorgensen discloses the well-known use of high latency and high error rate (e.g., col., 71, lines 7 – 22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Denker, Reid and Schroeder-Alten-Networks with the teachings of Jorgensen in order to facilitate usage of high latency and high error rate because the usage of high latency link would enhance handling of time required for a signal to travel between devices on the network. The usage of high error rate link would enhance reliability of the communication channel.

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36. As per claim 49, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 43. However, Denker, Reid and Schroeder-Alten-Networks do not specifically disclose usage of differential services (DS) field.

Jorgensen discloses the well-known usage of differential services (DS) field (e.g., abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Denker, Reid and Schroeder-Alten-Networks with the teachings of Jorgensen in order to facilitate usage of differential services field because the differential services field would enhance handling of protocol flow and would enhance processing of packet from one device to another.

37. Claims 17-23, 37-42, 46, are rejected under 35 U.S.C. 103(a) as being unpatentable over Denker, Reid and Schroeder-Alten-Networks in view of "Official Notice".

38. As per claim 17, Denker, Reid and Schroeder-Alten-Networks disclose the claimed limitations rejected under claims 1 and 15. However, Denker, Reid and Schroeder-Alten-Network do not specifically disclose satellite link.

"Official Notice" is taken that both the concept and advantages of providing a satellite link is well known and expected in the art. For example, Soffer et al., 6,233,429 discloses usage of satellite link (e.g., figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include satellite link in order to facilitate wireless link being satellite link. The satellite link would support high-throughput with minimum latency because supporting high-

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throughput with minimum latency would enhance data flow between the network entities over the network.

39. As per claims 18-23, 37-42, Denker and Reid disclose the claimed limitations rejected under claims 1, 15 and 24. However, Denker and Reid do not specifically disclose apparatus as a component of a network gateway / host / hub / switch / VSAT / router.

“Official Notice” is taken that both the concept and advantages of providing apparatus is a component of a network gateway / host / hub / switch / VSAT / router is well known and expected in the art. For example, applicant’s admitted prior art (AAPA) discloses usage of a network gateway (e.g., paragraph 12, pages 5 and 6), a host (e.g., paragraph 4, page 2). Bishop discloses usage of a hub (e.g., abstract). Durboraw, III et al., 5,995,042 discloses usage of a switch (e.g., col., 4, lines 52 – 62). Soffer et al., 6,233,429 discloses usage of a VSAT (e.g., figure 1). Chatterjee et al., 2001/0043600 discloses usage of a router (e.g., figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include usage of a network gateway / host / hub / switch / VSAT / router in order to facilitate handling of an apparatus for spoofing because the network gateway / host / hub / switch / VSAT / router would support the apparatus for utilizing information over the network.

40. As per claim 46, Denker and Reid disclose the claimed limitations rejected under claims 43. However, Denker and Reid do not specifically disclose a destination port number.

“Official Notice” is taken that both the concept and advantages of providing a destination port number is well known and expected in the art.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a destination port number in order to facilitate field comprising a destination port number. The destination port number field would provide information of where the packet is targeted on the device.

Conclusion

41. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

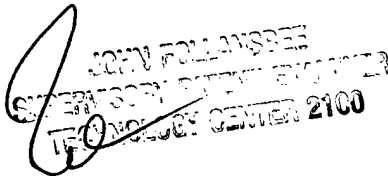
Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JOHN FOLLANSBEE
SUPERVISOR, PATENT EXAMINER
TECHNOLOGY CENTER 2100

Haresh Patel

October 27, 2005